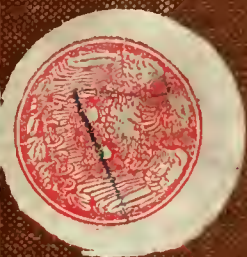


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Book 24

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A STATEMENT OF FACTS, ⁶⁶⁹
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*Presented by Captain Scallan, of the United States'
Army, to the Public.* ✓

James Scallan
"_____

IN committing to the press the following statement of facts, I acknowledge that I act contrary to the opinion and advice of every connection and friend to whom I have spoken on the subject. For my perverseness in this instance, I offer to them, in excuse, the uniform and confirmed habit I have, of doing whatever may appear to me evidently just ; and to the public, generally, for intruding on their time or notice, the right which every one has to guard against any misrepresentation of an affair in which one's feelings are interested. I do not know that any misrepresentation has been made, nor am I aware of having attracted the attention of any male gossips, a portion of which are unfortunately to be found in almost every society ; but I consider it due to myself to guard against slander, by ~~this~~ publishing, and promulgating the truth. I will now endeavor to sketch the subject : Early in June last, I was ordered from Baton Rouge, the Head Quarters of my Regiment, on a

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survey of the military road, from Madisonville to Nashville, and returned to Baton Rouge on the 1st of August when I found a letter dated "New-York 11th June" from an acquaintance who had a short time before left Boston, which stated, to my utter astonishment, that the writer had seen a letter directed to a gentleman in New England, the purport of which was to my disadvantage. I recalled to my memory, as far as possible, every transaction of note in which I had ever been concerned, and the result was, as all my intimates know or can very easily believe, that, although sometimes unwise in the execution of *my own ideas* of right or wrong, I had never done any thing which could tinge their checks or mine with a blush. Neither could I, on mature reflection, suspect but two persons in the world of being inimical to me: the difference with the one arising from our opposite opinions, on a public matter, and with the other from my having espoused the cause of an unprotected person. My informant was silent as to the particulars of the slander, or those concerned in it. I exhibited the letter immediately to surgeon Harney, and the late Lieut. Garrard of the 1st Infantry, and, with their concurrence, addressed a letter to my informant, to be made acquainted with all the circumstances. Early in October I received an answer, stating that Capt. Christian, of the 1st Infantry, had, when on his route from New England to Baton Rouge, in June,

shown my informant a letter directed to Colonel Mc Neil, of the 1st Infantry, by a person named *Stinson*, then living in Hillsborough, N. H. wherein Stinson stated, that he had been Assistant Deputy to the British adjutant general Harvey, in Canada, last war, and that he knew a Lieut. James Scallan there who left the service of H. B. M. under highly improper circumstances ; that Stinson knew him from August, 1813, to December following ; that Scallan belonged to the 8th or Kings' own Regt. and was well known to Generals Riall, Drummond, &c. My informant had not completed a transcript when it became necessary to return the original ; but enough existed to show that Stinson (whoever he is) might have known a person bearing the same name as me, or, otherwise, that he was a contemptible wretch, who, from some cause or wantonness, had taken it into his head to attempt me an injury ; and had, in his desire to establish the appearance of veracity, gone into particulars, giving *names* and *dates*, thereby circumventing himself, and giving me ample opportunity to establish him (if he is any where to be found) as a vile miscreant. The sequel of his letter, which I have since seen, confirms the latter conjecture. At the first moment, after reading my informant's letter and the Munchausen tale, I handed both to Major Whartenby, commanding at Baton Rouge, and demanded my own arrest or a court of inquiry ; he tried to dissuade me from either course, stating that

The vile slander was too incredible and contemptible ; and that in noticing it as I wished, I would give it the semblance of importance. Although to my acquaintance I had no need to say any thing, yet I could not know how far the daring lie might have spread, or by whom it might be retailed. I, therefore, urged my request, and a board of officers was appointed to investigate facts, whose decision is herewith numbered 1. At this investigation I had present *all* the officers belonging to the garrison, who held a meeting, and handed me, through the commanding officer, a decision, of which No. 2 is a copy. At those investigations and decisions, held and made the very day I received a copy of the foolish tale, I had no occasion to use further means than the documents (a great many of them official) which I had at hand amongst my papers, showing that at, before and after the periods mentioned, I was 8 or 900 miles distant from the Canadian dominions of this *soi disant* officer's master, which I entered for the first time, in the victorious division of the army commanded by general Brown, in July, 1814, as 2d Lieut. of the corps of Artillery in the Battalion commanded by major (now colonel) Jacob Hindman.

The first object with me after this, was to ascertain who or what Stinson was. I therefore wrote, on the 6th of October, to Colonel M'Neal, to ascertain it ; and altho' I had made arrangements to resign the very day I received my informant's letter, I

resolved to delay it, in order to hold myself subject to further scrutiny, and wrote to the Colonel to that effect, as well as to request, that if a doubt remained on his mind, that he would refer to certain persons named, (some of the highest authority in the nation) or, if possible, to induce Stinson to come on here, for which purpose I promised to pay all his expenses, and to guarantee his personal safety. As the letter to the Colonel contained an elaborate account of the affair, and a copy of the infamous letter, in which it originated. I sent a copy of it to Colonel Gibson, Commissary General of Subsistence at Washington, to be exhibited by him, at the War Department. This I did with confidence, as the records of that Department, and the personal knowledge of some of its members could at once stamp the lie on the foolish tale. I also made references to many of my friends, and wished the whole to be published in a pamphlet at Washington, and from thence disseminated; but at the instance of some gentlemen at Baton Rouge, a short official comment from the War Department was judged best, and for that purpose application was made by major Whartenby. The answer and views of the organ of that department, on the contemptible slander, is herewith numbered 3.

On the 1st instant I arrived here, and learned that Capt. Christian was in the city. As I considered myself injured by his imprudence, some events took place which led to a rencontre, which is

generally known and would not have occurred, had he reflected sufficiently, or followed the first dictates of his heart: his error, I believe, originated in the head and not the heart; but resulted in a severe personal injury to him. On the 16th inst. he made me an acknowledgement herewith numbered 4, and, in justice to him, I firmly believe it was given from a sense of duty to himself and me only, and is considered, by those who were intimate with the subject and those concerned, as the only manly and upright course he could take. Captain C. said further, in explanation, that when with Col Mc Neil. at Hillsborough, in May last, on a visit, he saw this Stinson for the first time; that he had not been long there—was lame, and then conducting a writing school; that the Colonel and Captain hearing him make a statement, as contained in the letter, insisted on his putting it into form. It was entrusted to Captain C. to carry to me; he was delayed on his route in consequence of an accident, and, as he acknowledges, incautiously showed it to two persons, one of whom was my informant.

The accompanying document, No. 5, from an officer who has long known and served with me in active duties, shews at once the utter want of character in Stinson. It also contains other matters which alone would have stamped his tale with the character it merits. The desire of my friend to serve me, induced him to offer this; and, although fur-

ther respectable testimony is at hand, I think it would be superfluous to add it here.

I cannot help remarking, on what must strike every one else with astonishment, what could be the motive of this man in attacking me or by whom he was urged ?—both are to me a mystery, as yet, although I am determined to take measures for the developement. I do not recollect ever having seen such a man, although, in the sequel of his letter, he states that he had seen me in Boston, in 1819: this proves that his villainy was directed against me; and, further, he stated that a Sergt. Ker, whom I had enlisted at Boston in June or July, 1819, could corroborate his statement, as he had served with both in the British army. As soon as this reference, was had here from Captain Christian, it was communicated to Major Whartenby, and the result of Ker's interrogation made under the direction of the Major is herewith numbered 6.

It is now eight years and four months, being then sixteen years old, since I first entered the service of my country; and with the intermission of sixteen months, have continued in it ever since. During the whole of that period, I can safely say that I never committed a military offence, such as would be cognizable before, or of sufficient importance to be noticed by a court martial. To prove that I was not considered by my government as having merited its displeasure during the late war, I was

retained in service at its close ; but at the same time, I must say, that to my knowledge many of superior talents and services were disbanded. Before and since then I have received thanks of those under whom I acted for services ; and although I have never done more than my duty, I am confident I have never done less. Finally I can safely aver that I am about retiring from public service, at perfect peace with all its members, and without leaving an enemy behind.

JAMES SCALLAN.

New-Orleans, 27th December, 1820.

P. S. This was written in haste and is published without correction : my object is to be intelligible without regard to style. J. S.

*For documents (N^o 7 & 8)
 Rec^d. Since the above was
 published see last page*

APPENDIX.

No 1.

Baton Rouge, October 5th, 1820.

IN consequence of the request of Lieut. Scallan, Adjutant of the 1st Regt. of Infantry, the commanding officer requests Doctors Harney and Finley, with Major Randall, to examine certain papers, &c. which will be submitted by Lieut. Scallan, and report thereon in writing.

(Signed)

R. WHARTENBY.

Major 1st Infantry Comd'g.

Agreeably to the above request, we have examined two letters received by ~~Capt.~~ Scallan from ***** (of Boston) and a copy of another letter said by **** to have been addressed to Col. McNeal, of the 1st Regt. U. S. Infantry; the latter containing charges derogatory to the character of ~~Captain~~ Scallan, as an officer and a gentleman, which letters we find in themselves contradictory, and the charges contained in the letter said to have been addressed to Col. McNeal, when compared with other letters and papers submitted by ~~Capt.~~ Scallan, are proven to be false.

(Signed)

B. F. HARVEY,

Sur. 1st Inf'ty.

CLEM. A. FINLEY,

Surgeon's Mate, 1st Infantry.

D. RANDALL,

Pay Master 1st Inf'ty.

Garrison, Baton Rouge, 5th Oct. 1820.

LL

The commanding officer states, from himself, that Capt. Scallan has served with him as Adjutant for near two years, and that his conduct has been that of the perfect officer and gentleman, and that he has never heard any thing derogatory to his character as such, and most cordially believes and confirms the opinion of the board of officers.

(Signed)

R. WHARTENBY,
Major 1st Inf'ty. Com'dg.

No. 2.

At a meeting of the officers of the Garrison on the 5th of October, 1820, on the subject of a letter submitted and written by *****, from Boston, to Lieut. Scallan, containing certain allegations derogatory to the character of Lieut. Scallan, and a question proposed by the same, whether a doubt remained on the subject. Was present :

Captain Cobbs, Lieuts. Powell, Davis, Isett, Spencer, Bickel, Harney, and Strong, of the 8th Infantry, Mr. Chappel, and Doctor Senter—are of opinion, that the allegations contained in said letter *are false and unfounded*; and they further declare, that they have never known or heard any thing derogatory or dishonourable to his character and standing, as a gentleman and an officer.

(Signed)

R. WHARTENBY,
Major 1st Inf'ty. Com'dg.

Capt. Jones, who was also present, says, that there must have been an officer of that name, (not Lieut. Scallan of the American army) or that it must be a poor subterfuge of some of his enemies: and further states, that he has never known any thing derogatory to Lieut. Scallan, as an officer and a gentleman.

(Signed)

R. WHARTENBY,
Major 1st Inf'ty Com'dg.

No. 3.

*Adjutant and Inspector General's Office,**Nov 9th 1820.*

SIR—Before I received your letter of Oct. 13 h, Col Gibson had shown me the papers of Capt Scallan, directed to Col. McNeal. We did not deem the report of sufficient importance to be made a subject of official comment, or to cause Capt. Scallan a moment's uneasiness. I transmitted the papers to the Colonel, and think the report deserves no further notice.

I have the honour to be, Sir, your obedient servant,

D. PARKER,

Adj. and Insp. General.

Maj. WHARTENBY, 1st Infantry,

Baton Rouge, Lou.

No 4.

New Orleans. Dec. 16th, 1820.

A sense of justice to Mr. Scallan requires that I should thus solemnly acknowledge the incorrectness of my proceeding, in exhibiting the *base fabrication* of a certain Stinson, to two persons in June last, before Mr. Scallan was aware of its existence; and that, in shewing the calumny, I laid the persons under an injunction of secrecy, and had no intention to do an injury to Mr. Scallan.

From the same feeling to Mr. Scallan grounded also on a firm conviction of my belief, I freely confirm the different decisions, declaring the utter want of truth, in the wroton and base declaration of the before-named Stinson, whom I declare never to have been intimate with, and whose conduct, added to the testimony of a respectable man who knows him, places his destitution of truth and principle beyond doubt; and further—I never knew, in a period of

four years, that I have served with Mr. Scallan, any thing in the least contrary to the most perfect principles of an officer and gentleman.

(Signed)

WM. CHRISTIAN,
Capt. 1st Inf'ty.

Witnesses.

(Signed) THOMAS WRIGHT,
JOHN SYMINGTON.

No 5.

New-Orleans, Dec. 20th, 1860.

Brick MY DEAR SCALLAN—In conversation with Lieut. Phil-
~~brick~~ *brick*, of the army, a few days since, at the Bay of St. Louis, I learned from him that a Mr. Stinson, supposed to be the same who wrote to Col. McNeal, on the subject of your supposed services in the British army, was a man destitute of every principle of honour, honesty, and truth. That he reported on his arrival, (I should say his return to the United States, as Mr. P. says he is by birth an American) that he had been a clerk in the office of the Adjutant General of the British army, at Kingston, U. C. during the year 1813, and that he soon after visited England, and was in the battle of Waterloo. In short, from the character given Stinson by Lieut. P. he is capable of the most outrageous acts of detraction and villainy, and unworthy the notice of any one.

In compliance with your request, I will here recapitulate the circumstances connected with our first acquaintance, which will of themselves convince any disinterested mind of the falsity of Mr. Stinson's character. I believe in the early part of July, 1814, at Chippewa, U. C. I met you a Lieutenant in the corps of artillery, of the army of the United States. You was shortly after wounded in an engagement with the enemy, and rendered incapable of active service. Having with me in and during the battle of Chippewa, public vouchers amounting to above 30,000 dollars,

and near 3000 dollars in money, I deemed it proper to make a deposit of them with one who would preserve them, until the end of the campaign. Accordingly I ascended the Niagara River with you to Buffalo, accompanied by Lieut. Fortune, of his Majesty's 8th, or King's own regiment, who had been wounded and made prisoner at Chippewa. On our arrival at Buffalo, I gave to you the vouchers and money mentioned, believing your wound would not permit you to join the army again for some months. This conclusion, however, proved erroneous; as you returned in two weeks after, and gave me, at Queenstown Heights, the trust left in your charge—and directly after the battle of Bridgewater you accompanied Gen. Rial, Capt. Loring, and to Gen. Drummond, and some other prisoners to Buffalo. Any one of whom, it is presumed, would have recognized you, had you but a few months before associated and served with them, as Mr. Stinson would have us believe.

I am truly your's,

THO. WRIGHT,*

Capt. J. SCALLAN.

No. 6.

Garrison, Baton Rouge, 9th Dec. 1820.

Question put to Sergt. Ke., of the 1st regiment U. States' Infantry, relative to Lieut. James Scallan, of the same regiment:

Question.—Did you ever see or know Lieut. James Scallan, at any time or place, before you saw him as an officer of the 1st Infantry?—*Answer.*—No.

Witnesses to the foregoing question and answer,

(Signed) R. D. RICHARDSON,

Capt. U. S. Ordnance.

THOS. BARKER, *Lieut. 1st Inf'ty.*

* Lieut. and Paymaster of the late 22d regt. during the war, and at present Paymaster of the 8th.

New-Orleans, Jan. 5th, 1821.

Since the foregoing was put to press, I have received numerous documents from my friends in Virginia, &c. to put down the infamous slander. As the following is *in point*, by embracing all the periods stated by Stinson, and as it would be superfluous to add more, I have confined myself to its publication. J. S.

WE, whose names are hereunto subscribed, do make oath, that Mr. James Scallan, now a Captain in the United States' army, lived in Alexandria Va. in the year 1812, and was a resident of the borough of Norfolk and city of Richmond, state of Virginia, from the spring of 1812, until May, 1814, at which time he proceeded to join the United States' army in or near Canada, in which he had previously obtained a commission. That during Mr. Scallan's residence in Norfolk, he volunteered his services to go down to Craney Island, where the British made an attack on it, viz. on the 22d day of June, 1813.

(Signed)

ROB. C. JENNINGS.

With the exception of Mr. Scallan's volunteering to go to Craney Island, deponent being then in Washington City.

(Signed)

WM. KEAN.

FRAS. C. FONTAINE.

Norfolk Borough, to Wit:

This day, personally appeared before me, an alderman of said Borough, Robert C. Jennings, Wm. Kean, and Fras. C. Fontaine, who made oath to the truth of the preceeding affidavit.

Given under my hand and seal this 23d day of November, 1820.

(Signed)

WRIGHT SOUTHGATE. [SEAL.]

No. 8.

Since the foregoing was published, Major Whartenby, commanding the 1st Infantry, has received a letter from Col. M'Neil, dated Washington City, 29th Nov. 1820, where he had just arrived from the north, in which, after explaining his motives for taking notice of Stinson's report, he says :—

“I also, in the mean time, have obtained information thro' the agency of the Bishop of Quebec, to whom I made reference, which induces me to believe that the Lieut. James Scallan, of the British service, described by Mr. Stinson, *is a character altogether fictitious*—This information, and that of Mr. Scallan, *satisfy me that Stinson was a calumniator*, though of creditable appearance and respectable connexions in New-Hampshire.”

So it appears that no person, *even of my name*, was in H. B. Majesty's service in Canada. This I believed throughout, and only wanted to see a British army register to confirm me in the belief which Col. M'Neil's letter places beyond doubt.

J. S.

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